

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>JASON PUGH,</b>	)	
<b>AIS #212315,</b>	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 1:22-00323-KD-N</b>
	)	
<b>WARDEN CYNTHIA MCCOVERY,</b>	)	
<b>Respondent.</b>	)	

**ORDER**

Petitioner Jason Pugh, an Alabama inmate proceeding pro se, filed a document with the Court directed to the “Clerk of Court” setting out his grievances with a criminal matter currently pending in Alabama state court (Doc. 1, PageID.1). The District Judge assigned to this case referred this filing to the undersigned Magistrate Judge for appropriate action. *See* S.D. Ala. GenLR 72(b); (8/18/2022 electronic reference). In an order dated August 25, 2022, the Court construed the filing as a 28 U.S.C. § 2241 habeas petition and ordered Pugh to refile the petition on the Court’s form and pay the required filing fee or file for leave to proceed without prepayment of the filing fee. (Doc. 2). However, upon further consideration of the substance of Pugh’s filing, the Court finds that Pugh may have intended to send his filing to the Circuit Court of Escambia County in Brewton, Alabama rather than this Court—the United States District Court for the Southern District of Alabama. Specifically, Pugh states in his filing that “this petition will be [his] last petition in this Honorable Court of Escambia County Brewton Ala.” (Doc. 1, PageID.1). Further, in the caption of the document, Pugh lists the state court case number and names the State of Alabama

as the opposing party. (Doc. 1, PageID.1).

Accordingly, the Court **WITHDRAWS** its Order dated August 25, 2022 (Doc. 2) and **DIRECTS** the Clerk to send Pugh's initial filing and a copy of this order (Doc. 1) to John Robert Fountain, Circuit Clerk, Post Office Box 856, Brewton, AL 36427. Further, the Clerk is **DIRECTED** to administratively **TERMINATE** this case.

**If Pugh did intend to file his original document with the United States District Court for the Southern District of Alabama seeking federal habeas corpus relief, then he is directed to fill out the appropriate form petition sent to him with a copy of the Court's August 25, 2022 Order and either pay the statutory \$5.00 filing fee or file a motion for leave to proceed in forma pauperis.**

**DONE and ORDERED** this the 1st day of September 2022.

/s/ Katherine P. Nelson  
**KATHERINE P. NELSON**  
**UNITED STATES MAGISTRATE JUDGE**